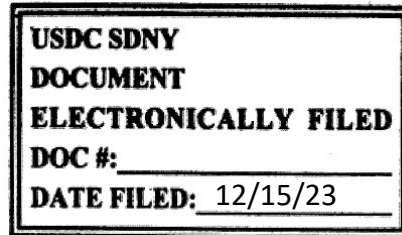


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
KH Capital, LLC,

23-Civ. -10099 (LAK) (RFT)

Plaintiff,

ORDER

-against-

Richard Cardinale, et al.

Defendants.
-----X

ROBYN F. TARNOFSKY, United States Magistrate Judge:

By Order of Reference dated December 7, 2023 (ECF 11), Judge Lewis A. Kaplan referred this case to Magistrate Judge Stewart D. Aaron for general pretrial supervision, settlement, and dispositive motions. On December 8, 2023, that referral was reassigned to me.

On November 16, 2023, Plaintiff filed its complaint alleging, in part, violations of Section 10(b) of the Securities Exchange Act of 1934 and related statutes and regulations. (See ECF 1.) The Clerk of Court issued electronic summonses for each Defendant on November 17, 2023. (ECF 6-8.) On December 6, 2023, Defendant L3 Capitol Income Fund, LLC filed a waiver of service. (ECF 12.) Pursuant to Federal Rule of Civil Procedure 4(m), Plaintiff must serve the remaining Defendants by February 14, 2024, if those Defendants do not file waivers of service.

Defendants have until 30 days from the date of service on the last-served Defendant, or until March 8, 2024, whichever is later, to respond to the complaint.

All parties are directed to consult my Individual Rules of Practice, available at <https://nysd.uscourts.gov/hon-robyn-f-tarnofsky>.

DATED: New York, New York
December 15, 2023

SO ORDERED

A handwritten signature in black ink, appearing to read "Robyn F. Tarnofsky", written over a horizontal line.

ROBYN F. TARNOFSKY
UNITED STATES MAGISTRATE JUDGE